

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER RULE 1.53(b)**

12/08/00
Pursuant to 37 CFR 1.53(b), please file a ☒ continuation/☐ divisional
of the pending prior PATENT APPLICATION of:
Inventor: OSTERHOFF et al.
Serial No. 09/041,745
Filed: March 13, 1998
For **EPIDIDYMIS-SPECIFIC RECEPTOR PROTEIN**
Assistant Commissioner for Patents
Washington, DC 20231
Sir:

Atty Dkt.: 35-196
C# M#
Date: December 8, 2000
Group: 1646
Examiner: Ulm, J.D.



This request for filing under Rule 53(b) is made by the following named inventor(s) (using the above-identified title):
Inventor(s): OSTERHOFF et al.

- ☒ Attached is a true copy of the prior application as originally filed including the specification, claims, Oath/Declaration and drawings (if any) and abstract (if any). No amendments (if any) referenced in the Oath or Declaration filed to complete the prior application introduced new matter.
- ☐ Priority is hereby claimed under 35 USC 119 based on the following foreign applications, the entire content of which is hereby incorporated by reference in this application:

| <u>Application Number</u> | <u>Country</u> | <u>Day/Month/Year/Filed</u> |
|---------------------------|----------------|-----------------------------|
|---------------------------|----------------|-----------------------------|

☐ certified copy(ies) of foreign application(s) attached or

☐ already filed on _____ in prior appln. no. _____ filed _____

☐ already filed in _____ filed _____

- ☐ Please amend the specification by inserting before the first line: -- This application claims the benefit of U.S. Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.--

☒ The prior application is assigned to IHF Institut Fur Hormon-und Fortpflanzungsforschung GmbH.

☒ Power of Attorney has been granted to B. J. Sadoff et al, Reg. No. 36,663 of Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Address all future communications to: Nixon & Vanderhye P.C., 1100 N. Glebe Rd., 8th Floor, Arlington, VA 22201.

☒ Please amend the specification by inserting before the first line --This is a continuation of application Serial No. 09/041,745, filed March 13, 1998, now pending, the entire content of which is hereby incorporated by reference in this application.--

☐ This application is entitled to "Small entity" status. ☐ "Small entity" statement attached.

☒ Petition filed in prior application to extend its life to insure co-pendency.

☒ The Examiner's attention is directed to the prior art cited in the parent application by applicant and/or Examiner for the reasons stated therein and return of an initialed copy of the attached PTO-1449 Form listing same, pursuant to MPEP §609, are requested.

☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☒ The entire disclosure of the prior application above-referenced is considered as being part of the disclosure of this new application and is hereby incorporated by reference therein.

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED

| | | | |
|--|----------------------------|---------------------------|-----------|
| Basic Filing Fee | | \$ | 710.00 |
| Total effective claims | 30 - 20 (at least 20) = 10 | x \$ 18.00 | \$ 180.00 |
| Independent claims | 2 - 3 (at least 3) = 0 | x \$ 80.00 | \$ 0.00 |
| If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper) | | \$ | 0.00 |
| | | SUBTOTAL | \$ 890.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract | | -\$ (| 0.00) |
| | | SECOND SUBTOTAL | \$ 890.00 |
| Assignment Recording Fee (\$40.00) | | \$ | 0.00 |
| | | TOTAL FEE ENCLOSED | \$ 890.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:rdw

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____